

**BEVERAGES AND BEVERAGE MATERIAL**

**26201. Coffee.** (F.D.C. No. 43112. S. Nos. 4-689 P, 4-960 P.)

**INFORMATION FILED:** 10-14-59, E. Dist. Va., against Norva Coffee Co., a partnership, Norfolk, Va., and Steve A. Votsis, partner.

**ALLEGED VIOLATION:** On 3-24-59, while a quantity of green coffee was being held for sale after shipment in interstate commerce, the defendants caused a quantity of the article to be roasted, blended, mixed with chicory, and packed into retail bags labeled in part "Windsor House Coffee," which acts resulted in the article being adulterated and misbranded.

The information alleged also that the defendants on 3-28-59, caused to be shipped from Norfolk, Va., to Elizabeth, N.C. a number of 1-lb. retail bags labeled in part "York Hotel Blend Quality Service Fresh Roasted Coffee Norva Coffee Co. Norfolk, Va." which were adulterated.

**CHARGE:** 402(b)(1)—(Both lots) a valuable constituent, namely, coffee, had been in part omitted from the article; 402(b)(2)—(both lots) chicory had been substituted in part for coffee; 403(a)—(Windsor House brand) the label statement "Coffee" was false and misleading; and 403(i)(2)—the article was composed of two or more ingredients, namely, coffee and chicory, and its label failed to bear the common or usual name of each such ingredient.

**PLEA:** Guilty.

**DISPOSITION:** 11-2-59. \$250 fine against the defendants jointly.

**26202. Green coffee beans.** (F.D.C. No. 43803. S. No. 74-301 P.)

**QUANTITY:** 182 126-lb. bags at Lafayette, La.

**SHIPPED:** 9-9-59, from New Orleans, La.

**LIBELED:** 11-10-59, W. Dist. La.

**CHARGE:** 402(a)(3)—contained insect-infested coffee beans while held for sale.

**DISPOSITION:** 2-4-60. Default—destruction.

**26203. Green coffee beans.** (F.D.C. No. 44032. S. No. 49-234 P.)

**QUANTITY:** 28 bags, 2,949 lbs. total, at San Francisco, Calif.

**SHIPPED:** 12-7-59, from outside the United States.

**LIBELED:** 1-13-60, N. Dist. Calif.

**CHARGE:** 402(a)(3)—contained wood splinters, nondescript dirt, and miscellaneous filth while held for sale.

**DISPOSITION:** 2-12-60. Default—destruction.

**26204. "10" Orange Drink.** (F.D.C. No. 43949. S. No. 46-714 P.)

**QUANTITY:** 45 cases, 6½-gal. btls. each, at Dothan, Ala.

**SHIPPED:** 7-24-59, from Memphis, Tenn., by Burgie Foods Co.

**LABEL IN PART:** "Serv '10' Non-Carbonated Orange Drink \* \* \* Enriched with Vitamin 'C'."

**RESULTS OF INVESTIGATION:** Examination showed that the article contained approximately 69 percent of the minimum daily requirement of vitamin C in each pint as declared on its label.

**LIBELED:** 12-9-59, M. Dist. Ala.

**CHARGE:** 402(b)(1)—while held for sale, the valuable constituent, vitamin C, had been in part omitted or abstracted from the article; 403(a)—the label statement "Enriched with Vitamin "C" Each pint has been enriched with